



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
WWW.USPTO.GOV

Paper No. None

PATREA L. PABST  
PABST PATENT GROUP LLP  
400 COLONY SQUARE  
SUITE 1200  
ATLANTA GA 30361

**COPY MAILED**

**APR 26 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
Donald L. Wise et al.	:	
Application No. 10/613,975	:	DECISION ON PETITION
Filed: July 3, 2003	:	UNDER 37 C.F.R. §1.137(b)
Attorney Docket Number: CSI 130	:	
Title: VACCINES TO INDUCE	:	
MUCOSAL IMMUNITY	:	

This is a decision on the petition, pursuant to 37 C.F.R. §1.137(b)<sup>1</sup>, to revive the above-identified application, filed on February 22, 2006.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR §1.113 in a timely manner to the final Office action mailed June 16, 2004, which set a shortened statutory period for reply of three (3) months. An after-final amendment was received on August 10, 2004, and an advisory action was mailed on November 3, 2004. No further

---

<sup>1</sup> A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

responses were received, and no extensions of time were requested. Accordingly, the above-identified application became abandoned on September 17, 2004. A notice of abandonment was mailed on February 16, 2005.

With the present petition, Petitioner has submitted a notice of appeal along with the associated fee, the petition fee, the proper statement of unintentional delay, and an appeal brief. A terminal disclaimer is not required.

The petition is **GRANTED**.

The Technology Center will be notified of this decision.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**